

REMARKS

Claims 1, 4-11, and 14-19 are currently pending in the application. Claims 1, 4-11, and 14-19 have been amended. Claims 2-3 and 12-13 have been canceled. Applicant respectfully submits that no new matter has been added. Applicant respectfully requests reconsideration of the application in view of the foregoing amendments and the following remarks.

Dependent claims 4-5, 7, and 14-15 have been indicated to contain allowable subject matter if rewritten to overcome the § 112 rejection and to include all of the limitations of the base claim and any intervening claims. Applicant appreciates the Examiner's indication of allowable subject matter.

The abstract stands objected to due to the use of improper language. In response, Applicant submits a replacement abstract to overcome the Examiner's objection. Claims 1-5, 7, and 11-15 stand objected to for various informalities. In response, claims 1, 4-5, 7, 11, and 14-15 have been amended. Claims 2-3 and 12-13 have been canceled.

Claims 1-19 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In response, claim 1 has been amended to remove the term "adapted".

Claims 1-3 and 11-13 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,974,433 to Currie ("Currie"). Dependent claims 2-3 and 12-13 have been canceled, thus, rendering the rejection of claims 2-3 and 12-13 moot.

Independent claim 1 has been amended to include features from dependent claims 2 and 3 which have now been canceled. Independent claim 1 relates to an electrical device for generating a multi-rate pseudo random noise (PN) sequence. Applicant respectfully submits that Currie fails to teach or suggest at least one of the distinguishing features of amended independent claim 1, namely, a selection system to select one of a plurality of sequence values based on a select value (M_i), wherein the select value (M_i) is provided based on a clock control value or signal (C_i) and a previously generated select value. In addition, Currie fails to teach or

suggest a step control adapted to provide a step control signal (S_t), wherein the step control signal (S_t) is provided based on a clock control value or signal (C_t) and the previously generated select value.

Currie discloses a system including sequence generating circuits which are connected to a multiplexing network. The multiplexing network is connected to a high speed output circuit. The multiplexing network and the sequence generating circuits are connected to and controlled by a clocking network which prescribes a gigahertz operation at an ultimate output while utilizing a relatively low megahertz operation at the circuit level.

In contrast to claim 1, in figure 3 of Currie, a clock circuit 300 provides a clock signal to a gating apparatus 310 and a down-counting circuit 306. The Examiner appears to have equated the signal from the down-counting circuit 306 into the gating apparatus 310 as the select value (M_t). However, according to Currie, the select value (M_t) is dependent *only* on a clock signal and *not* on the clock control value or signal (C_t) and a previously generated select value as in claim 1. Additionally, in contrast to claim 1, there is no teaching or suggestion by Currie of providing a step control signal (S_t) based on a clock control value or signal (C_t) and the previously generated select value. Applicant respectfully submits that claim 1 distinguishes over Currie and is in condition for allowance. Withdrawal of the rejection of claim 1 as anticipated by Currie is respectfully requested.

Independent claim 11 has been amended to include features from dependent claims 12 and 13 which have now been canceled. Independent claims 11 relates to a method of generating a multi-rate PN sequence. Applicant respectfully submits that Currie fails to teach or suggest at least one of the distinguishing features of amended independent claim 11, namely, providing a select value (M_t), wherein the select value (M_t) is based on a clock control value or signal (C_t) and a previously generated select value. In addition, Currie fails to teach or suggest providing a step control signal (S_t), wherein the step control signal (S_t) is based on clock control value or signal (C_t) and the previously generated select value.

In contrast to claim 11, in figure 3 of Currie, a clock circuit 300 provides a clock signal to a gating apparatus 310 and a down-counting circuit 306. The Examiner appears to have equated the signal from the down-counting circuit 306 into the gating apparatus 310 as the select

value (M_i). However, according to Currie, the select value (M_i) is dependent *only* on a clock signal and *not* on the clock control value or signal (C_i) and a previously generated select value as in claim 11. Additionally, in contrast to claim 11, there is no teaching or suggestion by Currie of providing a step control signal (S_i) based on a clock control value or signal (C_i) and the previously generated select value. Applicant respectfully submits that claim 11 distinguishes over Currie and is in condition for allowance. Withdrawal of the rejection of claim 11 as anticipated by Currie is respectfully requested.

Claims 6 and 16 stand rejected under 35 U.S.C. § 103(a) as being obvious over Currie in view of “Windmill pn-sequence generators” to Smeets et al. (“Smeets”).

Dependent claim 6 depends from and further restricts independent claim 1 in a patentable sense. Dependent claim 16 depends from and further restricts independent claim 11 in a patentable sense. Smeets has been cited as teaching a windmill polynomial generator. Applicant respectfully submits that Smeets fails to cure the deficiencies of Currie noted above. Applicant respectfully submits that dependent claims 6 and 16 distinguish over Currie in view of Smeets and are in condition for allowance. Withdrawal of the rejection of dependent claims 6 and 16 is respectfully requested.

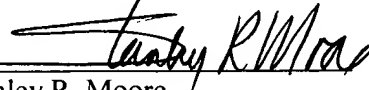
Claims 8-10 and 17-19 stand rejected under 35 U.S.C. § 103(a) as being obvious over Currie in view of U.S. Patent No. 6,430,170 to Saints et al. (“Saints”).

Dependent claims 8-10 depend from and further restrict independent claim 1 in a patentable sense. Dependent claims 17-19 depend from and further restrict independent claim 11 in a patentable sense. Saints has been cited as teaching a sequence electrical device being used in a portable device. Applicant respectfully submits that Saints fails to cure the deficiencies of Currie noted above. Applicant respectfully submits that dependent claims 8-10 and 17-19 distinguish over Currie in view of Saints and are in condition for allowance. Withdrawal of the rejection of dependent claims 8-10 and 17-19 is respectfully requested.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: December 28, 2004

Respectfully submitted,

By 
Stanley R. Moore

Registration No.: 26,958
JENKENS & GILCHRIST, A PROFESSIONAL
CORPORATION
1445 Ross Avenue, Suite 3200
Dallas, Texas 75202
(214) 855-4500
Attorneys For Applicant